

cofo



Dkt. 44743-US-CNT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentees: Jonathan A. Bard, et al.

U.S. Patent No: 6,913,892

Issue Date: July 5, 2005

Appln No.: 09/430,775

Filed: October 29, 1999

For: METHOD OF OBTAINING COMPOSITIONS COMPRISING Y4  
SPECIFIC COMPOUNDS

**Certificate**  
**SEP 28 2005**  
**of Correction**

215 College Road  
Paramus, New Jersey  
September 21, 2005

ATTN: Certificate of Correction Branch  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION FORWARDING REQUEST FOR CERTIFICATE OF CORRECTION**

Patentees request that a Certificate of Correction under 37 C.F.R. §1.323 be issued in connection with the captioned patent to reflect the corrections listed below. Please find an original and one copy of Patent Office Form PTO/SB/44 attached hereto as Exhibit 1, indicating errors in the above-identified patent.

The errors to be corrected as listed on Form PTO/SB/44 are as follows:

1. column 5, line 49, "FIGS. 1A-1E" should read --FIGS. 1-1 to 1-5--
2. column 5, line 61, "FIGS. 2A-2C" should read --FIGS. 2-1 to 2-3--

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3. column 6, line 13, "FIGS. 3A-3D" should read --FIGS. 3-1 to 3-4--
4. column 7, line 50, "FIG. 2" should read --FIGS. 2-1 to 2-3--
5. column 7, line 53, "FIG. 1" should read --FIGS. 1-1 to 1-5--
6. column 7, line 55, "FIG. 3" should read --FIGS. 3-1 to 3-4--
7. column 7, lines 56-57, "FIG. 1" should read --FIGS. 1-1 to 1-5--
8. column 7, line 58, "FIG. 3" should read --FIGS. 3-1 to 3-4--
9. column 8, lines 33-34, "FIGS. 1 or 3" should read --FIGS. 1-1 to 1-5 or FIGS. 3-1 to 3-4--
10. column 8, line 36, "FIG. 3" should read --FIGS. 3-1 to 3-4--
11. column 8, line 40, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
12. column 8, line 49, "FIG. 1" should read --FIGS. 1-1 to 1-5--
13. column 8, line 51, "FIG. 3" should read --FIGS. 3-1 to 3-4--
14. column 9, line 13, "FIG. 1" should read --FIGS. 1-1 to 1-5--
15. column 9, line 15, "FIG. 3" should read --FIGS. 3-1 to 3-4--

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16. column 9, line 25, "FIG. 1" should read --FIGS. 1-1 to 1-5--
17. column 9, line 28, "FIG. 3" should read --FIGS. 3-1 to 3-4--
18. column 9, line 63, "FIG. 1" should read --FIGS. 1-1 to 1-5--
19. column 10, line 66, "FIG. 2" should read --FIGS. 2-1 to 2-3--
20. column 13, line 51, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
21. column 14, line 21, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
22. column 14, line 50, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
23. column 15, line 28, "FIG. 1 or FIG. 3" should read --FIGS. 1-1 to 1-5 or FIGS. 3-1 to 3-4--
24. column 15, line 51, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
25. column 16, line 10, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--
26. column 16, line 31, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to

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3-4--

27. column 16 line 63, "FIG. 1" should read --FIGS. 1-1 to 1-5--

28. column 16, line 64, "FIG. 3" should read --FIGS. 3-1 to 3-4--

29. column 17, lines 6-7, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--

30. column 17, line 20, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--

31. column 17, lines 37-38, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--

32. column 20, line 10, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 and 3-4--

33. column 21, line 14, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--

34. column 22, line 62, "FIG. 2" should read --FIGS. 2-1 to 2-3--

35. column 27, line 33, "FIG. 2" should read --FIGS. 2-1 to 2-3--

36. column 27, line 36, "FIG. 2" should read --FIGS. 2-1 to 2-3--

37. column 27, line 38, "FIG. 2" should read --FIGS. 2-1 to 2-3--

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38. column 27, line 39, "FIG. 2" should read --FIGS. 2-1 to 2-3--

39. column 27, line 41, "FIG. 2" should read --FIGS. 2-1 to 2-3--

40. column 27, line 43, "FIG. 2" should read --FIGS. 2-1 to 2-3--

41. column 27, line 46, "FIG. 1" should read --FIGS. 1-1 to 1-5--

42. column 27, line 54, "FIG. 2" should read --FIGS. 2-1 to 2-3--

43. column 28, line 5, "FIG. 3" should read --FIGS. 3-1 to 3-4--

44. column 77, line 14, "FIG. 1" should read --FIGS. 1-1 to 1-5--

45. column 78, line 11, "FIG. 1" should read --FIGS. 1-1 to 1-5--

#### REMARKS

On July 28, 2005 a Communication entitled "Notice of Drawing Inconsistency with Specification" (Form PTO-1631) was issued in connection with the captioned application. The form stated that an inconsistency exists between the Drawings and the Brief Description of the Drawings in the specification. The Communication required correction of the described inconsistency within a time period of one month from the mailing date of the Notice, i.e, by August 28, 2005.

Upon receipt of the Notice, Patentees' undersigned attorney contacted Ms. Kimberly Terrell, manager of the Office of the Patent Publication/Publishing Division, and was

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Issued: July 5, 2005  
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informed that no response was necessary since the captioned application had issued as U.S. Patent No. 6,913,892 on July 5, 2005.

In light of the mistakes that appear in U.S. Patent No. 6,913,892, Patentees respectfully request that the Commissioner issue a Certificate of Correction under 37 C.F.R. §1.323 which provides for the correction of a "mistake of a clerical or typographical nature or of minor character which was not the fault of the Patent and Trademark Office". Patentees maintain that items 1 to 45 above are clerical or typographical nature or of minor character which were not the fault of the Patent and Trademark Office. The corrections noted in items 1 to 45 above are being made by Patentees in order for the specification to be consistent with Figures 1-1 to 1-5, 2-1 to 2-3 and 3-1 to 3-4 contained in the Drawings. Patentees maintain that the corrections noted in items 1 to 45 above do not contain any issue of new matter or require reexamination.

Patentees maintain that the mistakes noted in items 1 to 45 above were made in good faith and respectfully request that the Commissioner issue a Certificate of Correction under 37 C.F.R. §1.323.

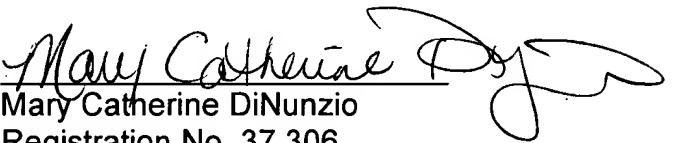
The fee for a Certificate of Correction issued under 37 C.F.R. §1.323 as set forth in 37 U.S.C. §1.20(a) is One Hundred Dollars (\$100.00) and authorization is hereby given to charge the amount of \$100.00 to Deposit Account No. 50-3201.

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Issued: July 5, 2005  
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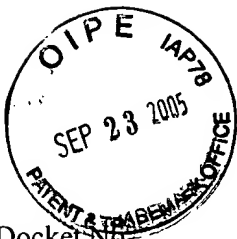
No fee, other than the enclosed \$100.00 fee, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such additional fee to Deposit Account No. 50-3201.

Respectfully submitted,



Mary Catherine DiNunzio  
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215 College Road  
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(201) 986-9106 (fax)

SEP 29 2005



Docket No.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**44743-US-CNT**

Patentees: **Jonathan A. Bard, et al.**

U.S. Patent No: **6,913,892**

Issue Date: **July 5, 2005**

Application No: **09/430,775**

Filed: **October 29, 1999**

For: **Method of Obtaining Compositions Comprising Y4 Specific Compounds**

**CERTIFICATE OF MAILING  
BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)**

Attention: Certificate of Corrections Branch  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

**Certificate of Correction (PTO/SB/44)(1pg) (in duplicate); Communication Forwarding  
Request for Certificate of Correction (7pgs); Fee Transmittal (PTO/SB/17) (1pg) and  
Return Postcard**

is being deposited on **September 21, 2005** with the United States Postal Service  
as first class mail in an envelope bearing sufficient postage thereon and addressed to:

**Attention: Certificate of Corrections Branch  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450.**

**Mary Johnson**

(Typed Or Printed Name Of Person Mailing Correspondence)

(Signature Of Person Mailing Correspondence)

SEP 29 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,913,892  
APPLICATION NO.: 09/430,775  
ISSUE DATE : July 5, 2005  
INVENTOR(S) : Jonathan A. Bard, et al

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

column 5, line 49, "FIGS. 1A-1E" should read --FIGS. 1-1 to 1-5--; line 61, "FIGS. 2A-2C" should read --FIGS. 2-1 to 2-3--  
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MAILING ADDRESS OF SENDER (Please do not use customer number below):

Lundbeck Research USA, Inc.  
215 College Road  
Paramus, NJ 07652

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 29 2005

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,913,892  
APPLICATION NO.: 09/430,775  
ISSUE DATE : July 5, 2005  
INVENTOR(S) : Jonathan A. Bard, et al

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column 17, lines 6-7, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--; line 20, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--; lines 37-38, "FIGS. 1 and 3" should read --FIGS. 1-1 to 1-5 and FIGS. 3-1 to 3-4--  
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**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

Lundbeck Research USA, Inc.  
215 College Road  
Paramus, NJ 07652

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

SEP 29 2005



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 100

**Complete if Known**

Application Number	09/430,775 / USP 6,913,892
Filing Date	October 29, 1999
First Named Inventor	Jonathan A. Bard
Examiner Name	Nirmal Singh Basi
Art Unit	1646
Attorney Docket No.	44743-US-CNT

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 503201 Deposit Account Name: Lundbeck Research USA, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Certificate of Correction 1.20 (a)

Fees Paid (\$)

100.00

**SUBMITTED BY**

Signature	<u>Mary Catherine DiNunzio</u>	Registration No. (Attorney/Agent) 37,306	Telephone 201-261-1331
Name (Print/Type)	Mary Catherine DiNunzio		Date September 21, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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